

PROGRESS REPORT #11

Comm 10 CODE REVISION COMMITTEE

DATE: Thursday, August 8, 2002

TIME: 9:00 – 2:30

PLACE: First Floor Conference Room, Thompson Commerce Center, Madison, WI

COMMITTEE MEMBER ATTENDANCE:

Bob Bartlett	Absent
Dave Ciepluch	Present
Tim Clay	Present
Bob Elvert	Present
Paul Knowler	Present
Dick Marx	Present
John Reed	Present
Dave Reinke	Excused
Tom Reinsch	Present
Erin Roth	Excused
Dale Safer	Absent

STAFF ATTENDANCE:

Sheldon Schall, ERS Div. (608)266-0956

Bill Sullivan, Safety & Buildings Div. (608)266-9643

Duane Hubeler, Administrative Services Div. (608)266-1390

Berni Mattsson, ERS Div. (608)266-8076

Greg Bareta, ERS Div. (608)267-9795

VISITORS:

Troy Batzel,

Wendell Wojner

QuickTrip

WI DNR

Attorney Don Gallo, Counsel for PMAW, via teleconferencing

ADMINISTRATIVE ISSUES:

The meeting was called to order at 9:00 by Sheldon Schall. Introductions were made and the progress report from 5/21/02 was reviewed and approved. John Reed, a new committee member, representing the Wisconsin Airport Manager's Association was introduced. Duane Hubeler announced that the phase I Comm 10 rules have been effective since August 1, 2002. Complete code books were distributed to all members present.

Sheldon reviewed the major code changes associated with the phase I update. Some key issues related to the code change and/or the summary is:

- The statement that the separation requirement for kerosene dispensers has been changed is incorrect. While the requirement has increased to 20 feet in the current edition of NFPA 30A, the 10 foot requirement remains in s. Comm 10.40 (2) (a) and takes precedence. This conflict in ch. Comm 10 will be considered for deletion in phase II.
- NFPA recognizes secondary containment (double wall) tanks only as large as 12,000 gallons. If NFPA does not make this change first, an amendment may be added to ch. Comm 10 to recognize larger tanks.
- Phase I requires annual corrosion protection system testing. Tanks will be allowed to complete their current 3-year cycle. Whenever the current 3-year cycle ends, tanks will be put on the annual cycle.
- The scope of API 653 is limited to field-erected tanks but it should be equally useful for inspecting larger shop-built tanks. Phase II may expand the scope to include shop-built tanks.

NEW SPCC REGULATIONS

Greg Bareta summarized new EPA requirements that are effective as of 8/16/02. These requirements may be incorporated into ch. Comm 10 to remove potential conflicts. For those committee members who wanted additional information, a handout was provided that included the web site address of the EPA code change documents.

FINANCIAL RESPONSIBILITY

Duane reviewed the final draft of the expanded financial responsibility requirements. Tim Clay stated that he would check with insurance companies to see that coverage is available for the aboveground

tanks that are proposed to be included under these rules. A proposal was made to have a delayed effective date for the requirements for the tank wagons.

MOBILE / WET HOSE FUELING, FARM TANKS, and GENERAL REQUIREMENTS

Much of the discussion on these issues centered on terminology and definitions. Sheldon introduced a proposal based on NFPA 385 that should clear up many issues of definition related to farm tanks and mobile fueling operations. The ongoing draft relating to farm tanks will be modified somewhat to accommodate these new definitions. Modified drafts should be available by the next meeting date.

CLASS IA STORAGE AND USE OF PRESSURE VESSELS FOR FLAMMABLE/COMBUSTIBLE LIQUID STORAGE

Greg Bareta presented a summary of current standards relating to these two topics for possible inclusion in ch. Comm 10. The presentation highlighted reasons for the need for code clarification/inclusion; presented some general guidance information; and detailed what requirements still need to be determined. While the application of ASME Section 8 tanks is addressed in NFPA, it is not clearly understood by the industry or regulatory inspectors. The department is proposing Comm 10 code language to make the requirements more prominent resulting in the initial conversions being performed properly.

WASTE OIL

Duane reviewed the draft of rules relating to collection and storage of waste oil. The changes consist primarily of tweaks to the existing language in ch. Comm 10. Since phase I changed the classification of waste oil to a IIIB combustible liquid, the draft should highlight what is required of waste oil that is over and above the requirements for other class IIIB liquids. While the NFPA code excludes secondary containment for most Class IIIB storage tanks, experiences, observations and practices of facilities and individuals transferring waste oil into tanks it is necessary to maintain secondary containment for waste oil tanks located in an area or environment without release migration controls.

INVENTORY CONTROL

Sheldon distributed a handout comparing the Comm 10.61 (4) requirement that daily inventory control be performed for systems using an ATG as primary leak detection (LD), in association with former and current NFPA 30A inventory control language. The point of the discussion was how the federal rule addresses the various leak detection methodologies, especially ATG leak detection, versus how Comm 10 addresses the same. The consensus was the current Comm 10 inventory control requirement places a second and redundant LD methodology requirement on the most reliable method of leak detection. Sheldon discussed the enforcement challenges that the department has experienced under this code requirement with tanks at remote sites and tanks that do not have a daily draw of product. The

committee presented a consensus that the IC was redundant and should be excluded in the code revision.

Hazardous Liquid Storage Tanks

Deferred to October meeting due to key committee representation not available for meeting discussion.

NEXT MEETINGS: The next 2 meetings of the full Comm 10 Committee are scheduled for **Thursday, October 3 and Thursday, December 5, 2002.** Please mark your calendars.